

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
GABINO GENAO,

Plaintiff,

-v-

CITY OF NEW YORK; C.O. MARSHA LYNCH; C.O.
DREW WILLIAMS; C.O. ANTHONY MORALES JR.;
CAPT. PHILLIPS; C.O. KRISTINA FORD, RHU DR. HO;
and CAPT. KEISHA LEMON,

Defendants.

CIVIL ACTION NO.: 20 Civ. 6507 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge:

Pursuant to the initial conference held today, June 24, 2022, the Court orders as follows:

1. The fact discovery deadline is extended to **Friday, August 19, 2022**.
2. Defendants' counsel shall mail to pro se Plaintiff Gabino Genao ("Mr. Genao") at the address listed below, a CD containing (i) video of the incident, and (ii) audio of the December 2018 hearing.
3. Defendants' counsel shall investigate whether (i) there exists audio of the October 31, 2018 hearing, and (ii) there is a record of Dr. Woo Ho evaluating the Plaintiff during his custody. Defendants' counsel shall be prepared to discuss the results of this search at the next conference.
4. With Plaintiff's consent, Defendant Correction Officer Sheldon Lynch (# 8496) ("Officer S. Lynch") is SUBSTITUTED as a Defendant in place of C.O. Marsha Lynch ("Officer M. Lynch").

5. Pursuant to Fed. R. Civ. P. 4(d), the Court requests that the Department of Corrections, waive service of summons on Officer S. Lynch.
6. Defendants' counsel shall advise the Court by **Friday, July 1, 2022**, whether he will represent Officer S. Lynch.
7. The Court holds in abeyance Plaintiff's request for (i) Officer S. Lynch's Command Discipline Records, and (ii) his suicide watch directive.
8. The Court will hold a status conference on **Monday, August 15, 2022 at 10:30 a.m.** on the Court's conference line. The parties are directed to call: 866-390-1828, access code: 380-9799, at the scheduled time.

It is hereby **ORDERED** that the Warden or other official in charge of the Attica Correctional Facility, produce Mr. Genao, Department Identification No. 22B1480, on **August 15, 2022**, no later than **10:15 a.m.** (15 min. in advance), to a suitable location that is equipped with a telephone, for the purpose of participating by telephone in a conference with the Court and Defendants' counsel. If the scheduled date and time for the conference presents a hardship, the Warden or the Warden's designee should promptly inform the Court by calling (212) 805-0214.

It is further **ORDERED** that Defendants' counsel must: (1) transmit this order to the Warden immediately, and (2) contact the Attica Correctional Facility to arrange the telephone call.

The Clerk of Court is respectfully directed to (i) terminate Officer M. Lynch as a defendant, against whom all claims are dismissed; (ii) substitute Officer S. Lynch in her place; (iii) amend the caption to reflect this substitution; and (iv) mail a copy of this Order to Mr. Genao at the address below.

Dated: New York, New York
June 24, 2022

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge

Mail To: Gabino Genao
Inmate No. 22B1480
Attica Correctional Facility
P.O. Box 149
Attica, New York 14011-0149